

Tennessee Advisory Council for the Education of Students with Disabilities

Introduction

According to state and federal guidelines the Advisory Council has responsibility annually to issue a report to the State Board of Education, and the Governor and the Legislature. Additionally, this report will be provided to the Tennessee Department of Education. The information contained in this report represents a period of a year showing the progress made in programs for children with disabilities. It is the Advisory Council's intention to work with the Department of Education to ensure the provision of appropriate services for children with disabilities throughout the State of Tennessee. This is accomplished through . . .

- Reporting by the Department to the Council
- Council giving feedback to the Department
- Information from public to the Council
- Experiences of council members, who represent consumers, services providers.

Mission Statement

The mission of Tennessee's Advisory Council for the Education of Students with Disabilities is to ensure that all students with disabilities are provided with the services and opportunities necessary to develop to their full potential.

Authority

Tennessee's Advisory Council for the Education of Students with Disabilities was established in 1972 and is required by Tennessee Code Annotated 49-10-105. This legislation states that the Council "shall advise and consult with the Governor, the Commissioner of Education, the State Board of Education, and the director of the Division of Special Education".

The Individuals with Disabilities Education Act (IDEA), Sec. 1412(a) (21), requires that the State establish and maintain an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State. Regarding duties, the advisory panel shall:

- Advise the Department of Education of unmet needs within the State in the education of children with disabilities;
- Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- Advise the Department of Education in developing evaluations and reporting on data to the U.S. Secretary under Section 618;
- Advise the Department of Education in developing corrective action plans to address findings identified in Federal monitoring reports under this part;
- Advise the Department of Education in developing and implementing policies relating to the coordination of services for children with disabilities; and
- Advise the Department of Education on serving the needs of students with disabilities in adult prisons.

Part One

COUNCIL GOALS AND DEPARTMENT ACTIONS 2000-2001

Introduction

This subsection, Part One, lists the goals established by the Advisory Council. The activities described represent actions carried out by the Division of Special Education along with the Department of Education related to the goals of the Council. Data reflecting the provision of special education and related services throughout the State is reported in the subsection, Part 2, which follows.

Council Goal 1: Improve special education services to eligible students with disabilities to better prepare them for transition into their future environments.

COUNCIL ACTIVITIES

The Council was presented information regarding the need for transition services to students from birth through 21 and concerns about the onset of these services. The Council received a copy of the Transition Guide developed by the Division of Special Education. Reports indicate from the Division that transitional plans are being developed by the school districts but the LEA's are weak in delivery of the services. In addition, the commitment of the linkage agencies is not at the level needed to ensure success for the students transitioning. The Council would like to strengthen relationships with other agencies to ensure transition of students into their new environment.

DEPARTMENT ACTIVITIES

The Division has examined activities to improve the transition of students with disabilities from infant and toddler programs to appropriate school programs, between school programs and, finally, from those school programs to their post-school environments. These activities include:

- Encouragement through the Tennessee Early Intervention System (TEIS) to preschool service providers to refer all preschool students to the appropriate local education agency personnel during second year of age.
- Follow-up studies of students, a goal of the Transition Improvement Project (TIP), a joint collaborative between the Division of Rehabilitation Services and the Division of Special Education
- Focus of compliance monitoring on the adequacy of written plans to provide needed transition services beginning no later than age 14 or younger if appropriate.
- Analysis of drop out data collected by the Department to follow outcomes for students with disabilities.
- Additional Transition training provided jointly by Part B and Part C to TDE/DSE Staff, LEA's, Parents and Preschool Providers (Paving the way to Transition).
- Tennessee Connections developed through the Transition Project is posted on the state website making it available to students, parents and educators.
- A training module on how to effectively assess, plan for and provide transition service needs and needed transition services has been developed and is available in forms of presentations by the transition consultants and/or for the LEAs to conduct their own training.
- Transition grants were awarded across the state with technical assistance given by the transition consultants.
- The SEA contracts with university projects to provide on-site technical assistance and to conduct training workshops through Project RISE in West Tennessee and the LRE for LIFE Project in East and Middle Tennessee.

- The LRE for LIFE Project under contract with the SEA has developed and published <u>From High School to the Real World: Getting the Job Done!</u>, a transition manual that addresses transition assessment, planning and community based work experiences for students who need more intensive supports and services.
- The LRE for LIFE Project has also conducted teacher training for Work-based Learning (WBL), a transition tool for 16 18 year old students, which allows them to earn academic credit while getting on-site work experience.
- Through the Transition Improvement Project, transition academies have been held in Nashville, Memphis and Knoxville during June 2001.
- A Transition Task Force made up of SEA personnel, LEA Supervisors and Transition Coordinators, Vocational Rehabilitation personnel and University personnel are currently working on developing a section on Work-Based Learning to be added to Tennessee Connections.
- On-site training and technical assistance are provided by three transition consultants, one for each grand division of the state.

Council Goal 2: Improve the quality and increase the number of qualified personnel serving students with disabilities.

COUNCIL ACTIVITIES

The Council agreed that the Division of Special Education should proceed with developing guidelines and standards for assistive technology. A presentation to the Council by Mr. Kevin Wright (TTAP) generated discussion and the subsequent formation of a subcommittee to review the data.

DEPARTMENT ACTIVITIES

Staffing issues in the field of special education such as supply/demand and incentives, which influence recruitment and retention, have been studied with the following actions taken:

- Annual review of waivers granted to teachers of special education by endorsement area through off-site monitoring, end-of-year reports, *Local Plans for Provision of Special Education*, and waiver requests.
- Provided course work in special education for teachers on waiver.
- Provided course work throughout the school year in speech/language to meet federal mandate.
- Publicizing the availability of assistance for prospective students in special education teacher training.
- Collaboration with Historically Black Institutions of Higher Education (IHEs) to support recruitment of
 minority teacher candidates and provide special education preservice training leading to licensure in special
 education.
- Organized a Higher Education Consortium focused on enhancement of personnel development in the area of Early Childhood.
- Organized Tennessee Interagency Professional Eduational Consortium (TIPEC), which provides guidance on recruitement, preparation and retention of teachers and other professional educators.
- Licensure of educational interpreters who work with students with hearing impairments is now in effect.
- The department employed personnel to work in the area of teacher retention/recruitment statewide.

The Department has sought means to increase availability of resources to meet the current in-service/pre-service needs of special education, general education personnel and parents by the following means:

- Ongoing training facilitated by consultant staff in three Regional Resource Centers, with emphasis on (1)
 Autism training for personnel involved in providing direct services for children with Autism, program planning
 for LEA's and ongoing technical assistance, and (2) ADD/ADHD training and follow-up technical assistance.
- Establishing regional technical assistance through contracts with Institutions of Higher Education to address identified staff development needs.
- Continuing State Improvement Planning and Division strategic planning process. Continued the (CSPD) planning/leadership initiative statewide with funding support to thirteen LEAs.
- Collaborating with the Department's Staff Development Office to develop activities which focus on training
 and technical assistance which will meet needs of special education, general education, vocational education
 teachers serving students with special educational needs, and their parents.
- Assistive technology training activities have been provided to staff from systems throughout the State.
 Assistive technology contacts have been identified and a statewide network is being developed.
 Jackson/Madison School System serves as a model for assistive technology.

Council Goal 3: Promote adequate funding for Special Education and improve procedures for allocation of funds.

COUNCIL ACTIVITIES

Tennessee Code Annotated establishes average and maximum class sizes for grades K-12 and Vocational Education in Tennessee, but provides that class size for Special Education shall be prescribed by the State Board of Education. During the past year, special education class sizes have been established and passed by the State Board as policy.

The Advisory Council received various reports on the activity of the Department of Education, the Department's consultant and the Superintendents' Study Council relating to Special Education class size and caseload requirements. The Advisory Council appointed a subcommittee to gather data and present recommendations to the Council. The committee presented a comprehensive proposal to the Council, which was approved and forwarded to the State Board of Education for approval.

DEPARTMENT ACTIVITIES

The Division of Special Education Class size/Caseload Task Force incorporated the funding goal, to promote adequate funding for Special Education, into their mission. The State Department of Education is involved in ongoing activities with the State Board of Education to assist in the establishing of class size/caseload, which will go into effect at the beginning of the 2002-03 school year.

Council Goal 4: Encourage the provision of special education programs in environments which assure that students with disabilities have the opportunity to interact with non-disabled persons to the maximum extent possible.

COUNCIL ACTIVITIES

The Advisory Council has been provided copies of and has reviewed various reports from the Division of Special Education concerning inclusive practices. The Council endorses and encourages programs and assistance which foster inclusive practices for children with disabilities. Inclusive practices proved the framework for the Council's adoption of a special education class size and caseload proposal submitted for consideration to the State Board of Education. Assistive technology was identified as a method to improve inclusion in the school setting. The Advisory Council appointed a subcommittee to further develop this goal.

DEPARTMENT ACTIVITIES

The Department of Education has moved forward to expand the techniques at the model LRE for LIFE, and RISE sites and other inclusive initiatives, making available and providing technical assistance to all LEAs needing this assistance. Department actions include:

- Utilizing model LRE and RISE sites of best practices to promote change in all other school systems
- Inviting all schools to participate in the LRE for LIFE or RISE Projects.
- Collaborative efforts between consultant staff from Regional Resource Centers, Department Regional Staff and IHEs to provide technical assistance in school improvement planning to individual schools throughout the State
- Implemented statewide technical assistance to support programming for children having emotional and/or behavioral issues.

Council Goal 5: Analyze the service delivery system for special education and identify the deficit areas.

COUNCIL ACTIVITIES

The Continuous Improvement Monitoring Process (CIMP) served as the working model to analyze and monitor the service delivery system for special education. The Chairman of the Advisory Council was an active participate in the CIMP process and acted as a liaison between the Council and various CIMP committees.

DEPARTMENT ACTIVITIES

The Department of Education, as lead agency for Part C, has implemented a statewide system of services to all eligible infants and toddlers with disabilities ages birth through two years.

- The development of Part C has been reviewed regularly with the Council.
- The Department, along with the other agencies represented within the SICC, conducts continuing reviews of resources needed for serving birth through two year old infants and toddlers with disabilities.

Census data and other information have been analyzed to determine reasons students may be receiving less than full service in public and private programs. Follow-up monitoring has been utilized to determine why these students receive less than full service.

- LEA Summary data from court reports will be analyzed to determine if there is a pattern of non-service.
- Exiting school information is collected on the End-of-Year Report to determine rate of dropout and graduation, with either regular diploma or through certification of attendance or completion of IEP.
- The Council is updated with annual compliance monitoring of LEAs and programs statewide and receives copies of the Summary Monitoring Findings.
- LEAs that serve proportionately high numbers of students in more restrictive placements are provided technical assistance from Department staff and have opportunities to benefit from inclusionary education model programs throughout the State.
- Service areas in need of additional emphasis/assistance have been addressed through interagency agreements and ongoing collaborative efforts.
- In compliance with TCA 49-1-213, the Department, along with the Department of Mental Health/Mental Retardation, continues implementation of the *Make a Difference Program*, a training/technical assistance model for children and youth having emotional/behavioral problems.
- Through the Division's strategic planning process, monitoring procedures are being continually reviewed and revised with current focus on student /program outcomes in addition to compliance with State and Federal laws.
- The Division is in the process of establishing criteria by which the LEA's will be monitored using the self-assessment process beginning in the 2002-03 school year.

• Through supports from the Office of Civil Rights, continuing effort is being made through compliance monitoring to ensure that school districts do not have an over representation of minorities in MR classes or an under representation of minorities identified as gifted.

Council Goal 6: Improve awareness of and access to services.

COUNCIL ACTIVITIES

The Division of Special Education website was expanded to include Advisory Council information and activities. An operational procedure manual was developed and adopted by the Council under the direction of a facilitator from the Mid-South Regional Resource Center. The Advisory Council was informed of various training and technical assistance activities designed to provide basic information on a number of topics. Training was scheduled throughout the state and at conferences on topics including the TN. Rules, Regulations & Minimum Standards for special education. Presentations to increase the Advisory Council's awareness of programs, service and procedures included Continuous Improvement Monitoring Process (CIMP), CIMP Improvement Plan, Interview process for selection of Administrative Law Judges; and Tennessee Technical Assistance Project (TTAP).

DEPARTMENT ACTIVITIES

The Department has planned strategies for public awareness and dissemination related to special education including:

- Utilization of various newsletters, with statewide circulation to interested parties in special education services.
- Department of Education Website utilized as source of information for all areas of special education and related services.
- Updated copies of the <u>Rights of Children with Disaiblities and Parent Responsibilities</u> booklet were distributed to known service providers serving parents of students who are making a transition to public education or who are being referred for evaluations to determine possible disabilities.
- Information about current best practices in special education and related services for transitioning youth is disseminated through collaborative efforts with all Divisions within the Department, the Division of Rehabilitation Services, and the statewide LRE for LIFE and RISE Projects.
- Additional information is disseminated through workshops, conferences, Summer Institutes, and LRE for LIFE and RISE program activities.
- A new Interagency Agreement was signed in November, 2000 by all state agencies responsible for providing special education to children in Tennessee.
- Statewide training was held regarding the Interagency Agreement with all parities to the Agreement participating.

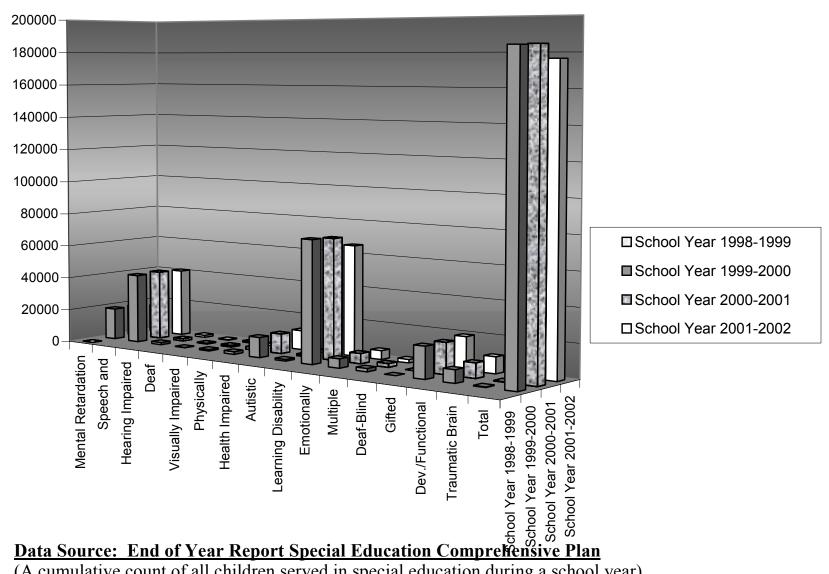
Part Two

Table 1 STATISTICAL INFORMATION NUMBER OF STUDENTS WITH DISABILITIES BY DISABILITY

The table below contains data on numbers of children with disabilities served by local school systems as of the end-of-the-school-year, from 1998-99 through 2001-2002.

	School Year 1998-99	School Year 1999-2000	School Year 2000-2001	School Year 2001-2002
Mental Retardation	18,932	18,339	16,569	16,672
Speech or Language Impairment	41,477	41,736	40,820	41,692
Hearing Impairment	1,328	1,319	1,245	1,327
Deafness	408	401	409	382
Visual Impairment	1,029	1,016	878	720
Orthopedic/Physical Impairment	1,598	1,589	1,520	1,346
Other Health Impairment	12,105	11,778	11,505	11,973
Autism	974	1,094	1,245	1,507
Specific Learning Disability	72,701	71,677	65,839	64,976
Emotional Disturbance	5,642	5,989	5,219	5,392
Multiple Disabilities	2,119	2,178	2,054	2,128
Deaf-Blindness	12	10	6	6
Intellectually Gifted	18,534	18,258	19,224	20,643
Other (Functionally Delayed)	4,230	3,996	3,985	4,107
Developmental Delay	3,359	4,742	5,674	6,241
Traumatic Brain Injury	341	343	312	324
TOTAL	184,789	184,465	176,504	179,641

^{*}Data Source: End of Year Report for Comprehensive Plan for Providing Special Education Services
(This is a **cumulative** count of **all** children served in special education during a school year.)



(A cumulative count of all children served in special education during a school year)

Table 2 **FUNDS AVAILABLE** FOR THE **EDUCATION OF STUDENTS WITH DISABILITIES**

PROGRAM
Source of Funds: Federal

Source of Funds: Federal	1998-99	1999-2000	2000-2001	2001-2002
Individuals with Disabilities Education Act, Part B Grant Funds	\$80,819,015	\$88,697,223	\$101,635,101	\$128,733,463
Individuals with Disabilities Act, Preschool Grant Funds	\$6,776,149	\$6,776,149	\$7,049,034	\$7,049,034

State Funds - Effective July 1, 1992, all state education funds are distributed under the provisions of the Education Improvement Act accordingly. LEAs are granted flexibility in the use of these funds and no specific dollar amount is earmarked for any program or activity.

Table 3 STAFF POSITIONS USED TO SERVICE STUDENTS WITH DISABILITIES IN TENNESSEE LOCAL SCHOOL SYSTEMS* (in Full-Time Equivalency)

	School Year 1998-99	School Year 1999-00	School Year 2000-01	School Year 2001-02
Teachers (ages 3-5)	296.40	271.16	304.76	354.92
(ages 6-21)	4,700.18	4,776.31	4,747.48	5,039.10
Other Special Education and Related	7,960.06	8,602.72	7,258.37	8,085.26
Service Personnel				
Vocational Education	121.50	134.30	111.13	134.48
Physical Education	18.60	22.60	16.30	18.80
Work-Study Coordinators	11.40	13.00	14.00	16.00
Psychologists	356.06	364.27	454.87	341.33
School Social Workers	28.80	35.87	32.80	41.00
Occupational Therapists	124.40	119.04	96.95	114.47
Audiologists	34.97	36.41	22.46	26.98
Teacher Aides	4,427.95	4,727.75	3,782.92	4,328.26
Recreation & Therapeutic Recreation Specialists	5.00	6.05	1.05	2.05
Diagnostic & Evaluation Staff	68.42	74.07	59.90	71.40
Physical Therapists	78.83	98.07	78.49	90.89
Counselors	114.00	112.90	85.81	81.64
Speech Pathologists	536.46	625.11	630.84	771.52
Supervisors/Administrators (LEA)	195.59	210.66	174.81	204.26
Supervisors/Administrators (SEA)	53.00	53.00	53.00	57.00
Interpreters	26.50	29.50	22.50	36.50
Rehabilitation Counselors	456.01	552.66	553.59	639.07
Other Professional Staff	483.18	499.12	384.88	402.08
Non-Professional Staff	819.39	888.34	682.07	707.53
TOTAL	12,956.64	13,650.19	12,310.61	13,479.58

^{*}Data Source: End of Year Report for Comprehensive Plan for Providing Special Education Services

Table 4 STAFF POSITIONS SERVING STUDENTS WITH DISABILITIES FILLED WITH INDIVIDUALS WITHOUT PROPER LICENSING

Table 4-A

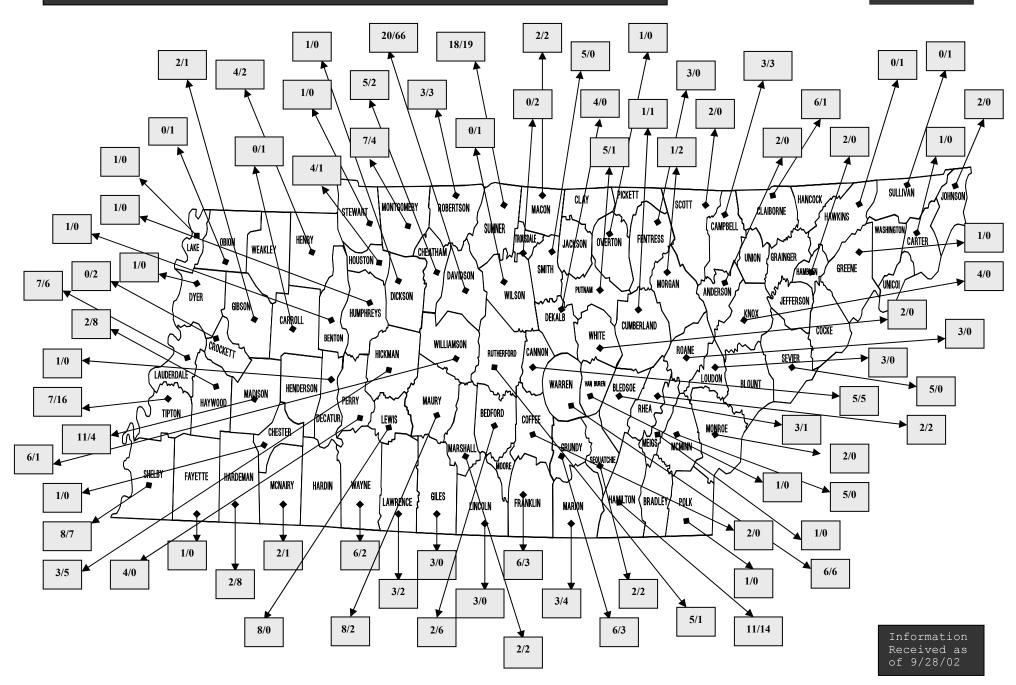
	School Year 1998-99		School Year 1999-2000		School Year 2000-01		School Year 2001-02	
	Waivers	Permits	Waivers	Permits	Waivers	Permits	Waivers	Permits
Local Educational Agencies	255	221	296	310	338	292	309	307
State Agency and Private Schools	40	36	37	21	44	40	26	59
TOTALS	295	257	333	331	382	332	335	366

Waiver of Employment Standards

Permission granted to a local school system to employ one who holds a valid teaching license but does not have the appropriate endorsement. A waiver may be granted when the school system is unable to obtain the services of a qualified teacher for the type and kind of school in which the vacancy exists.

Permit to Teach

Permission granted to a local school system to employ one who does not hold a valid teaching license when the system is unable to obtain the services of a qualified teacher for the type and kind of school in which the vacancy exists.



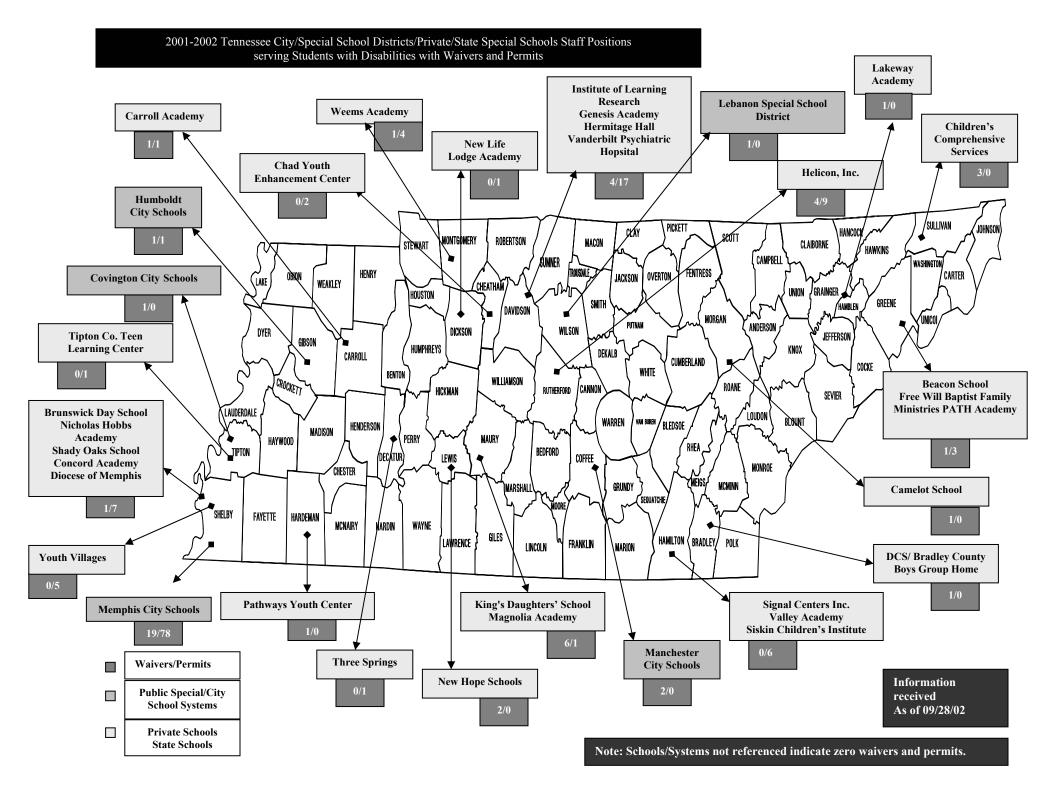


Table 5
STATUS OF SERVICE FOR
STUDENTS WITH DISABILITIES
October 1999, 2000, 2001 & 2002
(Reported to State Chancery Court)

CHILDREN WITH DISABILITIES		1999	2000	2001	2002		
Receivi	ing Appropriate Services						
	Receiving full special education/support services	140,164	139,952	143,476	144,681		
	Enrolled in regular program but requiring no special education services	388	368	399	523		
Receiving Less Than Appropriate Services							
	Receiving some special education, but less than recommended service	7	176	75	89		
	Enrolled in school, recommended for special education, but not receiving any special education services	312	190	190	210		
	Not enrolled in any education program	313	310	242	240		
Children Suspected to Have Disabilities							
	Referred, but not evaluated	6,251	5,128	4,867	3,923		
	Evaluated, but determined not eligible	2,898	2,807	3,141	2,378		

Note: These numbers are as of October 1, 1999 through 2002 and will not be the same as the end-of-the-year figures. The status of service for students with disabilities for October 1, 2003 will be reported in the next annual report.

Data Source: October Report to Chancery Court in the Case of Val Rainey vs. the Tennessee Department of Education

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